

441—93.105(239B) Priority of service.

93.105(1) Federal requirements. Federal law, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA), Title I—Temporary Assistance for Needy Families, Section 407, contains mandatory work requirements expressed as participation rate requirements:

- a. Rescinded IAB 12/3/97, effective 2/1/98.
- b. Federal law requires that each state shall achieve a minimum participation rate for all families as described in PRWORA, Title I, Section 407.
- c. Federal law requires that each state shall achieve a minimum participation rate for two-parent families as described in PRWORA, Title I, Section 407.

93.105(2) Service upon referral.

a. FIP applicants, including those who are in a limited benefit plan, who are referred to PROMISE JOBS shall be scheduled for and attend PROMISE JOBS orientation within ten calendar days of the date of the notice that FIA responsibility has begun, as required under 441—paragraph 41.24(10) “g,” or the family’s application for FIP shall be denied.

b. FIP participants who are referred to PROMISE JOBS shall initiate service for PROMISE JOBS orientation by contacting the appropriate PROMISE JOBS office within ten calendar days of the mailing date of the notice that exempt status has been lost and FIA responsibility has begun, as required under 441—subrule 41.24(5).

c. PROMISE JOBS provider agencies shall schedule FIA orientation and assessment appointments:

(1) At the earliest available times for FIP applicants but no later than ten calendar days from the date of referral.

(2) At the earliest available times for FIP participants who lose exempt status and who contact the appropriate PROMISE JOBS office within the ten days except when the department exercises administrative authority to require prioritization of orientation services to ensure that specific groups receive services in order to achieve self-sufficiency in the shortest possible time, to meet federal minimum participation rate requirements and other TANF requirements.

d. PROMISE JOBS staff may waive orientation services before writing an FIA when developing an FIA that meets the conditions of 441—paragraph 41.30(3) “e.”

e. Applicants who are in a limited benefit plan are referred to PROMISE JOBS and shall be scheduled to begin PROMISE JOBS services with the appropriate PROMISE JOBS office as described at 441—subrule 41.24(1). The applicants who communicate the desire to engage in PROMISE JOBS activities shall be scheduled at the earliest available time and no later than ten calendar days from the date of referral to begin or resume the family investment agreement process.

f. The department reserves the authority to prioritize orientation and other services to FIP applicants and participants in whatever order best fits the needs of applicants and participants and the PROMISE JOBS program.

g. Applicants and participants who are participating in the food assistance employment and training program at the time of referral shall be allowed to use the employment and training component in which they are currently enrolled as the first step in the FIA.

93.105(3) Waiting lists. Because of state and federal budgetary limitations, federal mandatory work requirements and minimum participation rate requirements, and other TANF requirements on the PROMISE JOBS program, the department shall have the administrative authority to determine agency and geographical breakdowns for service, to designate specific groups for priority services, or to designate specific PROMISE JOBS components or supportive service levels for a waiting list. Persons shall be removed from these waiting lists and placed in components at the discretion of state-level PROMISE JOBS administrators in order to help participants achieve self-sufficiency in the shortest possible time, meet budgetary limitations, enable participants to make maximum use of other programs, fulfill the federal minimum participation rate requirements and meet other TANF requirements.

a. and b. Rescinded IAB 12/3/97, effective 2/1/98.

c. Persons who are participating in a component who are canceled from FIP are not eligible for PROMISE JOBS services while FIP is canceled. However, the person can regain immediate eligibility

for PROMISE JOBS services and shall not be placed on a postsecondary classroom training waiting list if the period of FIP ineligibility does not exceed four consecutive months and the participant is still satisfactorily participating in approvable training at the time that FIP eligibility is regained.